pe a plus sign (+) inside this box

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Sutstitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet of

Complete if Known				
Application Number	10/804,677			
Filing Date	March 19, 2004			
First Named Inventor	Cheng et al.			
Group Art Unit	Unknown			
Examiner Name	Unknown			
Attorney Docket Number	CL2346 US NA	1		

U.S. PATENT DOCUMENTS						
Examiner Initials •	Cite No.1	U.S. Patent Document Number Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
14		5,656,472	Amoco Corp.	08/12/1997		
16	_	5,545,816	Ausich et al.	08/13/1998		
KG	-	5,530,189	Ausich et al.	06/25/1996		
KIS	7	5,530,188	Ausich et al.	06/25/1996		
Kir	~	5,429,939	Kamura et al.	01/16/1998		
				•		
				<u>, , , , , , , , , , , , , , , , , , , </u>		
			•			
					1	
				-		
					1	
		<u> </u>			<u> </u>	

FOREIGN PATENT DOCUMENTS								
Examiner Cite	For	eign Patent Docum	nent	Name of Patentee	Date of Publication of	Pages, Columns, Lines,		
Initials*	No.1	Office ³		nd Code ⁵ <i>[known</i>]	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T ₆
K.4	•	wo	02/079395	A2				
		 	 					
		ļ						
			 	<u>.</u> .				
		1						

Examiner Signature	Kagner G- 768	Date Considered	01/21/05

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 2 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 6 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark hee if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Approved for use through 10/31/2002, OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitut	e for form 1449A/PT	0		Complete if Known		
				Application Number	10/804,677	
			CLOSURE	Filing Date	March 19, 2004	
STATEMENT BY APPLICANT			PPLICANT	First Named Inventor	Cheng et al.	
				Group Art Unit	Unknown	
	(use as many sh	eets as	necessary)	Examiner Name	Unknown	
Sheet	24	of	2	Attorney Docket Number	CL2346 US NA	

Include name of the author (In CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. Nelis and Leenheer, Microbial sources of carotenoid pigments used in foods and feeds, Appl. Bacteriol. 70: pp. 181-191, 1991 Misawa and Shimada Metabolic engineering for the production of carotenoids in non-carotenogenic bacteria and yeasts, J. Biotech. Vol. 59:pp. 169-181, 1998 Dye et al., A Taxonomic Study of The Genus Erwinia, New Zealand Journal of Science, Vol. 12: pp. 81-97, 1969 Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science, Vol. 11: pp. 590-607, 1968 Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science, Vol. 12: pp. 223-236, 1969 Dye et al., A Taxonomic Study of The Genus Erwinia, New Zealand Journal of Science, Vol. 12: 833-839, 1969	τ*
Misawa and Shimada Metabolic engineering for the production of carotenoids in non-carotenogenic bacteria and yeasts, J. Biotech. Vol. 59:pp. 169-181, 1998 Dye et al., A Taxonomic Study of The Genus Erwinia, New Zealand Journal of Science, Vol. 12: pp. 81-97, 1969 Dye et al., A Taxonomic Study of the Genus Erwinia. New Zealand Journal of Science Vol. 11: pp. 590-607, 1968 Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science, Vol. 12: pp. 223-238, 1969	
Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science, Vol. 12: pp. 81-97, 1969 Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science Vol. 11: pp. 590-607, 1968 Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science, Vol. 12: pp. 223-236, 1969	
Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science Vol. 11: pp. 590-607, 1968 Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science, Vol. 12: pp. 223-236, 1969	
Dye et al., A Taxonomic Study of the Genus Erwinia, New Zealand Journal of Science, Vol. 12: pp. 223-236, 1969	
Dye et al., A Taxonomic Study of The Genus Erwinia, New Zealand Journal of Science. Vol. 12: 833-839, 1969	
Kwon et al., Phylogenetic Analysis of Erwinia Species Based on 16S rRNA Gene Sequences, Inter. J. System. Bacteriol. 47(4): pp. 1081-1087, 1997	
Hauben et al., Phylogenetic Position of Phytopathogens within the Enterobacteriaceae, Syst. Appl. Microbiol. 21(3),: pp. 384-397, Aug. 1998	
G. Armstrong, Eubacteria Show Their True Colors: Genetics of Carotenoid Pigments Biosynthesis from Microbes to Plants, J. Bact. 176: 4795-4802, 1994	
Armstrong, Genetics of Eubacterial Carotenoid Biosynthesis: A Colorful Tale, Annu. Rev. Microbiol. 51; pp. 629-659, 1997	
GenBank Accession No. M87280, April 11, 2001, Pantoea agglomerans	
GenBank AccessionNo. D90087, August 24, 2002, Pantoea ananatis	
GenBank Accession No. AY166713, December 18, 2002, Pantoea stweartii	
GenBank Accession No. AB076662December 26, 2001, Pantoea agglomerans	
	Hauben et al., Phylogenetic Position of Phytopathogens within the Enterobacteriaceae, Syst. Appl. Microbiol. 21(3),: pp. 384-397, Aug. 1998 G. Armstrong, Eubacteria Show Their True Colors: Genetics of Carotenoid Pigments Biosynthesis from Microbes to Plants, J. Bact. 176: 4795-4802, 1994 Armstrong, Genetics of Eubacterial Carotenoid Biosynthesis: A Colorful Tale, Annu. Rev. Microbiol. 51: pp. 629-659, 1997 GenBank Accession No. M87280, April 11, 2001, Pantoea agglomerans GenBank Accession No. D90087, August 24, 2002, Pantoea ananatis GenBank Accession No. AY166713, December 18, 2002, Pantoea stweartii

Examiner Signature	Kagner a Yes	Date Considered	01/21/2	5

EXAMINER: Initial if reference considered, whether of not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

¹ Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.